

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

DANA CRISWELL

PLAINTIFF

VS.

CIVIL ACTION NO. 3:20-cv-294-DPJ-FKB

**CHOKWE ANTAR LUMUMBA, in his
official capacity of Mayor of Jackson, Mississippi,
and CITY OF JACKSON, MISSISSIPPI**

DEFENDANTS

**THE CITY COUNCIL OF JACKSON, MISSISSIPPI'S RESPONSE IN SUPPORT OF
AMICUS CURIAE BRIEF OF LYNN FITCH, ATTORNEY GENERAL OF
THE STATE OF MISSISSIPPI**

COMES NOW, The City Council of Jackson, Mississippi ("CCJ"), by and through its Independent Counsel, Deshun T. Martin, Esq., and Vatteria M. Martin, Esq., and files its *Response in Support of Amicus Curiae Brief of Lynn Fitch, Attorney General of the State of Mississippi*, in support thereof, would show unto the Court the following, to-wit:

RESPONSE

The City of Jackson, Mississippi is a municipality of the State of Mississippi and operates under the mayor-council form of government. On or about April 24, 2020, Chokwe Antar Lumumba, in his official capacity as Mayor of Jackson, Mississippi ("Mayor"), signed and issued an Executive Order ("the order") which contained language suspending the open carry of firearms during the COVID-19 pandemic. The CCJ acknowledges, understands, and agrees that the order infringes upon Mississippian's fundamental right to keep and bear a firearm for self-defense, afforded by the Second Amendment of the United States Constitution and Article 3, Section 12 of the Mississippi Constitution.

Moreover, as aforementioned, the order violates Mississippi statutory law and the Legislature's intent that neither municipalities nor counties may regulate "the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components." Miss. Code Ann. § 45-9- 51(1). The CCJ has not taken any action or adopted any ordinance whatsoever purporting to regulate the possession or carry of firearms during the COVID-19 pandemic. As the CCJ supports all laws contained within the United States Constitution, the Constitution of the State of Mississippi, and the law and statutes of the State of Mississippi, the CCJ disapproves of the Mayor's Executive Order Suspending the Open Carry Law of the State of Mississippi.

CONCLUSION

As the CCJ supports all laws contained within the United States Constitution, the Constitution of the State of Mississippi, and the law and statutes of the State of Mississippi, the CCJ disapproves of the Mayor's Executive Order Suspending the Open Carry Law of the State of Mississippi. As such, the CCJ supports the Amicus Curiae Brief of Lynn Fitch, Attorney General of the State of Mississippi.

Respectfully submitted, this the 3rd day of May 2020.

THE CITY COUNCIL OF JACKSON, MISSISSIPPI

/s/ Deshun T. Martin
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/s/ Vatteria M. Martin
VATERRIA M. MARTIN, MSB# 101235

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ATTORNEYS FOR THE CITY COUNCIL
JACKSON, MISSISSIPPI

CERTIFICATE OF SERVICE

We, Deshun T. Martin, Esq. and Vatterria M. Martin, Esq., do hereby certify that we have this day electronically filed the foregoing document with the Clerk of the Court utilizing the EFC system, which sent notification of such filing to the following counsel of record:

Aaron R. Rice, Esq.
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ATTORNEYS FOR PLAINTIFF

This the 3rd day of May, 2020.

/s/ Deshun T. Martin
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/s/ Vatterria M. Martin
VATERRIA M. MARTIN, MSB# 101235

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